

Docket No.: 31894-199297
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zemel et al.

Art Unit: 1616

Application No: 10/827,353

Examiner: E. J. Webman

Filed: April 20, 2004

Confirmation No: 2617

Atty. Docket No: 31894-199297

For: HIGH CALCIUM FOODSTUFFS FOR
WEIGHT LOSS

Customer No:

26694

PATENT TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a non-final Office Action (37 CFR 1.97(c)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. The fee of \$ 180.00 pursuant to 37 CFR § 1.17(p) is attached. The Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 22-0261.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

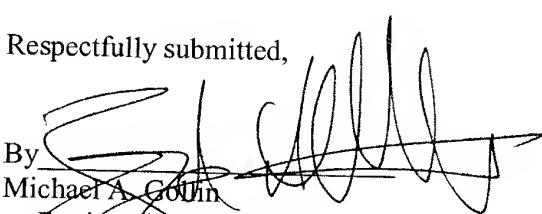
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

We believe that no additional fees are required with the submission of this IDS. However, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 31894-199297.

Dated: June 29, 2007

DC1/242523

Respectfully submitted,

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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/827,353
(Use as many sheets as necessary)				Filing Date	April 20, 2004
Sheet	1	of	1	First Named Inventor	Michael ZEMEL
				Art Unit	1616
				Examiner Name	E.J. WEBMAN
				Attorney Docket Number	31894-199297

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	CA	BURRINGTON, Kimberlee J., "Food Product: Dairy Ingredients for Health," [October 1999] < http://www.karlloren.com/Diabetest/diet/milk/p5.htm ><11/20/2001>, pages 1 of 10			T ²
	CB	LIN, Yi-Chin, et al., "Dairy Calcium is Related to Change in Body Composition During a Two-Year Exercise Intervention in Young Women", Journal of the American College of Nutrition, Vol. 19, No. 6, 754-760 (2000), pages 754-760			
	CC	DAVIES, K. Michael, "Calcium Intake and Body Weight", The Journal of Clinical Endocrinology & Metabolism, Volume 85, Number 12, December 2000, pages 4635-4638			
	CD	CARRUTH, BR and SKINNER, JD, "The Role of Dietary Calcium and Other Nutrients in Moderating Body Fat in Preschool Children", International Journal of Obesity, Volume 25, Number 4, April 2001, pages 559-566			
	CE	ZEMEL, Michael B., "Dietary Calcium and Dairy Products Accelerate Weight and Fat Loss During Energy Restriction in Obese Adults," American Journal of Clinical Nutrition, [2000] 75(suppl):a342s			
	CF	ZEMEL, Michael B., et al., "Dairy Augmentation of Total and Central Fat Loss in Obese Subjects", International Journal of Obesity (2005) 1-7.			
	CG	ZEMEL, Michael B., et al., "Effects of Calcium and Dairy on Body Composition and Weight Loss in African-American Adults," Obesity Research Vol.13 No. 7 July 2005, pages 1-8.			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.
DC1/242521

Examiner Signature	Date Considered
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